

U.S. Department of Justice



*United States Attorney
Southern District of New York*

86 Chambers Street
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February 14, 2022

BY ECF

The Honorable Katherine Polk Failla
United States District Judge
United States District Court
40 Foley Square
New York, New York 10007

Re: *The New York Times Company v. United States Department of Justice*, 21 Civ. 06073 (KPF)

Dear Judge Failla:

This Office represents defendant U.S. Department of Justice (“DOJ” or “Defendant”) in this action arising under the Freedom of Information Act (“FOIA”). I write respectfully on behalf of Defendant and plaintiff The New York Times Company (“Plaintiff”) to provide the joint status letter due today pursuant to the Court’s Order dated December 3, 2021, Dkt. No. 10 at 3 (memo endorsement).

Since the parties’ last status letter, DOJ has completed the primary processing of the record at issue in this case and has also sent it to two other DOJ components for consultation. Those components expect to complete their consultations within 60 days (*i.e.*, by April 15, 2022), after which time DOJ will complete its processing, including by implementing the feedback from the consultations, and will release any non-exempt portions of the record to Plaintiff. Additionally, DOJ has determined that there is a classified supplement to the at-issue record, which it is in the process of attempting to locate. Assuming that record is located, DOJ will also process it in response to Plaintiff’s FOIA request. In light of the progress that has taken place and the timing of the two DOJ consultations, the parties jointly propose that they submit a joint status letter to the Court by April 29, 2022, proposing next steps in this case.

The parties thank the Court for its consideration of this submission.

Respectfully,

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United States Attorney

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cc: Counsel for Plaintiff (by ECF)